

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
)
MARTIN GOTTESFELD)

No.: 16-cr-10305-NMG

EMERGENCY MOTION FOR LEAVE TO WITHDRAW

Counsel for defendant Martin Gottesfeld (“Mr. Gottesfeld”) hereby moves, on an emergency basis, for leave to withdraw. Yesterday, July 16, 2018, the Court (Stearns, J.) issued an order (Dkt. No. 248) denying without prejudice counsel’s July 12, 2018 Emergency Motion for Leave to Withdraw (Dkt. No. 241).

In support of Dkt. No 241, counsel filed under seal and *ex parte* eight (8) exhibits. (Dkt. No. 242). Counsel now requests that the Court (Gorton, J.) review the exhibits attached at Dkt. No. 242.

Further, since the order of Judge Stearns, new facts and circumstances have occurred requiring counsel’s withdrawal. Based on the foregoing, an actual conflict of interest exists between counsel and the defendant; the attorney-client relationship is irretrievably broken; and counsel cannot fulfill his responsibilities and duties, including his duty of loyalty to Mr. Gottesfeld, as required under the Rules of Professional Conduct.

In support, counsel files under seal and *ex parte* four (4) exhibits to the present motion. A hearing on these matters is respectfully requested.

Respectfully submitted,
Counsel for defendant:

/s/ David J. Grimaldi

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DATE: July 17, 2018

CERTIFICATE OF SERVICE

I, David J. Grimaldi, hereby certify that true copies of this motion were served on all registered participants via CM/ECF this 17th day of July, 2018. Further, on this day a copy of this motion is to be provided in hand to defendant Martin Gottesfeld.

/s/ David J. Grimaldi

David J. Grimaldi